

EXHIBIT 3

TWANA AHMED,	:	
	:	
Plaintiff,	:	Case No. 4:23-cv-02823
	:	
v.	:	Hon. Judge Lee H. Rosenthal
	:	
UNIVERSAL PROTECTION SERVICE,	:	
LP d/b/a ALLIED UNIVERSAL	:	
SECURITY SERVICES,	:	
	:	
Defendant.	:	
	:	

I, Wayne A. Oliver, Jr., pursuant to 28 U.S.C. § 1746, state as follows:

2. I am presently employed by Universal Protection Service, LP d/b/a Allied Universal Security Services (“Allied Universal”) as a Regional Human Resources (“HR”) Representative based in the Houston branch office. I have continuously held this position since February 1, 2022. As a Regional HR Representative, one of my primary job responsibilities includes investigating complaints of harassment, discrimination, or retaliation.

3. Allied Universal is committed to creating a diverse workforce. It maintains policies and procedures to provide and address equal employment opportunity, prevention of harassment, discrimination, and retaliation, and a reporting and investigation procedure to address workplace complaints. These policies are specifically identified in Allied Universal's employee handbook, a copy of which was provided to Twana Ahmed during his employment and as produced as AUS 00081-00269 during discovery in this case.

4. I first learned of Twana Ahmed on May 26, 2022, when I was included in an email by Senior Regional HR Manager Katherine Alyea. This email was in response to Mr. Ahmed's request to talk with HR regarding an unspecified concern. Later, I learned that Mr. Ahmed had filed a hotline complaint on May 25, 2022, alleging that he had been targeted by Client Manager Patrick Freney because he was told to cut his beard during Ramadan. He also complained about alleged verbal threats made by Mr. Freney, and his suspension and termination resulting from his handling of a burglary situation. A true and correct copy of Mr. Ahmed's May 25, 2022, hotline complaint is attached as **Exhibit A**.

5. I promptly initiated an investigation and interviewed Mr. Ahmed, Mr. Freney, and Field Supervisor Alexzander Bergeron. Throughout the investigation, Mr. Ahmed did not identify any other individuals relevant to his hotline complaint. I further reviewed the Use of Force ("UOF") Incident Report and supporting documentation related to the burglary incident that resulted in Mr. Ahmed's suspension and termination.

6. In mid-June 2022, I completed my investigation and informed Mr. Ahmed that Allied Universal was not able to substantiate his complaint due to a lack of corroborating evidence. I also explained that his suspension and termination were based on a determination that his use of force during the burglary incident was unjustified. A true and correct copy of my investigation summary is attached as **Exhibit B**.

7. In the hotline complaint, Mr. Ahmed self-identified as being Middle Eastern or Muslim. However, throughout the investigation, Mr. Ahmed never mentioned his ancestry, ethnicity, or national origin to me. I was never aware, nor did he ever disclose, that he is of Kurdish descent.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 and under the laws of the United States of America, that the foregoing is true and correct, except as to matters stated to be based on information and belief.

FURTHER DECLARANT SAYETH NOT.

Executed on November ^{14.00}_____, 2024.

Signed by:

Wayne Oliver

DD5A1AEA07274EB...

Wayne A. Oliver, Jr.

Regional Human Resources Representative
Universal Protection Service, LP d/b/a Allied
Universal Security Services

EXHIBIT A
to
Declaration
of Wayne
Oliver

Case: 36184 - Hotline Phone

CE

Issue Involving Employee Relations and HR : Dispute with Manager/ Supervisor : Wrongful Termination/ Removal/ Transfer

Case Snapshot

Opened: 05/25/2022 5:18 PM
Days open: Less than 24 hours
Last modified: 05/26/2022 8:01 AM
Intake method: Hotline Phone
Status: In Process
Alert: Green

Case Details Show Original Case Details

Reported tier information

Case type:
 Allegation
Intake method:
 Hotline Phone

Location

Organization/Building name:
 Allied Universal
Branch number:
 WE572174
Location name:
 CE (TX) HOUSTON (Commercial)
Location/Address:
 CE (TX) HOUSTON (Commercial)
Country/Territory:
 United States

Reporter contact information

Reporter anonymous:
 No
Reporter first name:
 Cwana
Reporter last name:
 Amed
Phone number:
 832-896-9276
Email address:
 cwana_202020@yahoo.com
Contact availability:
 Anytime

Case Information

What is your relationship to Allied Universal ?
 Employee
HRID#:
 9352791

Please identify the person(s) engaged in this behavior:

Patrick (phonetic spelling) Frainey (phonetic spelling) - account manager
(first name unknown) (last name unknown) - general supervisor

Do you suspect or know that a supervisor or management is involved?

Yes

If yes, then who?

Patrick (phonetic spelling) Frainey (phonetic spelling) account manager

Is management aware of this problem?

Yes

What is the general nature of this matter?

Racism and Threats

Where did this incident or violation occur?

Allied Universal account manager office

Please provide the specific or approximate time this incident occurred:

In the month of April

How long do you think this problem has been going on?

More than a year

How did you become aware of this violation?

It happened to me

Details:

When Patrick was hired as the account manager and had his first encounter with Cwana, Patrick had interrogated Cwana by asking him about his origin due to Cwana's language barrier and foreign last name. Since then, Cwana suggested that Patrick had something against him due to his race and religion being Middle Eastern or Muslim.

There had been an incident recently regarding Cwana being addressed by the general supervisor that he would need to cut his beard, even though it had been between the period of Ramadan, which is a very significant and spiritual period for Muslim's to keep their culture and heritage strong. The general supervisor and Patrick had enforced the rule on Cwana to shave his beard, which eventually was done due to the constant reminders. To Cwana's surprise, he had noticed that there had been employees (names and job titles withheld) that had longer beards than him at the facility, which suggested that he had been targeted and dealt with unfairly but ignored the fact of racism due to simply being humble.

Another incident involved a misunderstanding when Cwana had been scheduled to work. Cwana had been called to the office by Patrick and had been addressed about the scheduling. Cwana had made it clear to Patrick that he was not scheduled to work and requested verification from the general supervisor. Patrick became irate and started to threaten Cwana by saying, "I'm going to destroy your life and fry you like a fucking chicken. You don't know who your fucking talking to." After the threats, Patrick also told Cwana to get out of his office and if Cwana was lying, Patrick would fire Cwana. It had seemed that Patrick found out that Cwana was not lying due to the general supervisor being written up for the misinformation. Patrick had neither acknowledged that Cwana was right, nor apologized for the threats made.

There had been another issue involving Cwana apprehending 3 persons that had been stealing from an Allied Universal linked site. In the state of Texas, a commission officer is liable to detain and apprehend someone by right during the process of a crime. After apprehending 3 persons (names and job titles unknown) that had been caught stealing, Cwana had been called to the office by Patrick. Patrick had started to threaten Cwana, and whenever Cwana wanted to state the reason as to why he was not wrong, Patrick would tell him to "shut up." Patrick stated that Cwana was in America, and that there are different ways to handle a burglary situation rather than being a "lose cannon." Patrick also mentioned that Cwana should have let go of the culprit and suspended Cwana until further notice.

After these events, Cwana was not called back immediately and had realized that he had been terminated. Cwana had then decided to return the equipment, including his firearm and other belongings, that had been the property of the business. Patrick had also passed a remark that if Cwana had not returned the items, Patrick would destroy him and revoke his security license. Patrick had also stated that even if the company does not fire Cwana, that he would find a way to fire Cwana, which Patrick has no right to do, and Cwana considers this unprofessional and unethical.

Location Description:

0

Location2:

CE

Location3:

Security

EXHIBIT B
to
Declaration
of Wayne
Oliver

**Case: 36184 - Hotline Phone
Central****Issue Involving Employee Relations and HR : Dispute with Manager/ Supervisor
: Wrongful Termination/ Removal/ Transfer****Case Snapshot****Opened:** 05/25/2022 5:18 PM**Days open:** 16**Last modified:** 06/16/2022 12:53 PM**Date closed:** 06/11/2022**Intake method:** Hotline Phone**Status:** Closed**Alert:** Green**General Case Info****Case number:**

36184

Received/Reported date:

05/25/2022

Language:

English

Assigned tier:

Central

Issue**Primary issue:**Issue Involving Employee Relations and HR : Dispute with Manager/ Supervisor : Wrongful Termination/ Removal/
Transfer**Case Details Show Original Case Details****Reported tier information****Case type:**

Allegation

Intake method:

Hotline Phone

Location**Organization/Building name:**

Allied Universal

Branch number:

WE572174

Location name:

CE (TX) HOUSTON (Commercial)

Location/Address:

CE (TX) HOUSTON (Commercial)

Country/Territory:

United States

Reporter Information

Reporter anonymous:

No

Reporter first name:

Cwana

Reporter last name:

Amed

Phone number:

832-896-9276

Email address:

cwana_202020@yahoo.com

Contact availability:

Anytime

Case Information**What is your relationship to Allied Universal ?**

Employee

HRID#:

9352791

Please identify the person(s) engaged in this behavior:

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It happened to me

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apologized for the threats made.

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Location Description:

0

Location2:

CE

Location3:

Security

Follow-ups

Reporter Additional Information

There are no additional notes for this incident.

Questions/Comments and Reporter Responses

06/08/2022 3:36 PM - Oliver, Wayne

Question: Good afternoon just wanted to verify if you were issued write ups on discipline or made aware of your work status then with Allied?

06/09/2022 9:22 PM - Reporter

Response No, Cwana has not been written up, and he has not been made aware of his work status. Cwana was just told that he was suspended.

Assignments & Access

Additional Assignee: Alyea, Katherine (Primary); Crum, Christon (Primary); Oliver, Wayne (Primary)

Restricted access: None

Case access list: Adanou, Wichita; Admin, NAVEX; Allen, Zaynah; Alyea, Katherine; Ankrum, Mindy; Balfour, Claire; Caldwell, Audra; Carter, Melissa; Chung, Ray; Crum, Christon; Daniels Jennifer; Deridder, Bailey; Duffell, Mike; Eisenbeis, Kimberly; Grzywacz, Peggy; Hawkridge, Gabrielle; Hildebrandt, Macy; Jackson Robin; King, Andrew; Manning, Ryan; Oliver, Wayne; Phan, Dorothy; Rojas, Gabriela; Smidt, Jenna; Sword, Emma; Talbot, Jill; Tefft Don; Williams, Sarah

Participants

Name	Job Title	Relationship	Role	Results	Notes
Cwana Amed	None	None	Reporter	None	
Patrick (phonetic spelling) Frainey (phonetic spelling)	account manager	None	None	None	
(first name unknown) (last name unknown)	general supervisor	None	None	None	

Attachments

Files

File	Category	Date	Description
Root Cause Analysis (Ahmed 04042022).docx	Other	06/06/2022 12:44:00 PM	use of force statement and root case analysis
Twana Ahmed UOF 04042022.pdf	Other	06/06/2022 12:44:00 PM	use of force statement and root case analysis

Synopsis

Outcome of case

Primary outcome:

Unsubstantiated

Action taken:

Appropriate Action Taken

Additional details

Potential next steps:

UOF policy violated.

Synopsis notes:

Spoke to Mr. Ahmed and made aware of violation of policy and not able to be rehired currently. No other witnesses can confirm the use of language and tone Patrick used toward Mr. Ahmed.

Tasks

None

Case Notes

06/10/2022 4:03 PM - Oliver, Wayne

Hi Wayne,

NO conversation was ever had about Twana's beard during Ramadan with him. There was never a scheduling conflict that he ever presented to me concerning his religion that would have provoked a conversation of the sort. During all of my conversations with Twana, there was never any confusion pertaining to his use of the English language, nor did I have an issue with his foreign name. There was never any reason to question his military service....this topic never came up during any of my conversations with him. Finally, Alex Bergeron was not demoted from this UOF incident, and Twana Ahmed is, nor was, in any position to take an active roll in the decision to have Alex returned to the field as a Security Professional. Twana Ahmed was terminated upon the completion of a Root Cause Analysis and a Review Panel where all members agreed upon his association with Allied Universal on April 4, 2022. He turned in his weapon on April 6, 2022.

Thanks in advance!

Patrick G. Freney

06/08/2022 3:27 PM - Oliver, Wayne

Speaking with Twana Ahmed he believes he was falsely terminated from the Elite program and not being able to be rehired. He states Patrick has cursed him out, told him to shave his beard while others where never told to shave. He

states Patrick said no one wants to talk to a lose canon and discredited his military background. Twana stated Patrick threatened and made racist comments about him. Twana was aware of organized crime happening at several HEB stores. Site manager sent pictures of guys stealing. He states the guys stealing one of them had a knife. HEB manager called the police and supervisor showed up. He states they arrested the guys. Twana had to go into the office and was suspended because he should have let the guys go instead of detaining in handcuffs. He says he has no write ups.

06/08/2022 1:16 PM - Oliver, Wayne

Email from: alexthezander247@gmail.com

DO NOT click links or open attachments unless you recognize the sender AND know the content is safe. If you suspect this is phishing, please forward to phish@aus.com and then delete.

I am sending this email as my witness for Twana Ahmed.

What i know about Twana Ahmed termination is as follows,

The event that led to his termination was a misuse of force and a breach of company policy. What I know of the event is that I was contacted regarding Twana Ahmed having used force at one of our HEB sites. I went to the site to perform a witness statement and a Use Of Force packet. Twana and I went over the information regarding the use of force. I spoke with HEB management who were appalled that any force was used to begin with. A known shoplifter entered the HEB site. Twana Ahmed recognized the perp in question and informed HEB management. HEB management contacted Bellaire PD. Bellaire PD arrived on site with plans of apprehending the shoplifter when he left the store. Twana Ahmed noticed the shoplifter inside the store and hid behind a wall waiting for the man to leave the main store and step into the second floor lobby. (Still inside the store) When the shoplifter stepped into the lobby Twana stepped out from behind the wall and immediately handcuffed the potential shoplifter. This was a breach of Allied Universal policy as the man had not committed a crime, and Allied Universal personnel are not to detain any individuals except under certain circumstances. I then gave the reports I had completed to Patrick Freney.

This is what i know of Twana Ahmed's termination from Allied Universal.

06/06/2022 12:42 PM - Oliver, Wayne

ALCON,

Please see attachments.

Twana Ahmed was never addressed in an inappropriate, unprofessional nor indignant manner by me or anyone on my Supervisory team. We have had verbal counselings when I appeared at a worksite to do meetings with an ALPM, but I have never addressed anyone with racists overtones, or threatened an employee with physical harm or danger to themselves. Furthermore, Twana Ahmed was terminated for the unauthorized detention of a suspected shoplifter regarding an inappropriate UOF incident that took place on 4/4/2022 when he forcefully pushed a suspected shoplifter against the wall PRIOR to leaving the store, applied handcuffs to the individuals' wrists behind his back, and then walked him outside the store to be handed over to the police. Because Ahmed never allowed the subject to actually leave the store, the theft of merchandise never technically took place, and the police were not able to affect an arrest. A Root-Cause Analysis was completed in reference to this incident, and a Panel deemed it appropriate for him to be terminated due to the fact that the actions taken by Ahmed were not authorized nor approved of by any training or instruction during his time with Allied Universal.

If you have any questions, please let me know.

Thanks in advance!

Patrick G. Freney

Elite Client Manager for HEB/Houston

Allied Universal Security Services

[REDACTED]

License number: C15802

Related Cases

AUS 00012

Cases marked as related to this case

None